

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SIXTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 5172 of 1997

Between:

1. Sudali Subbanna, S/o Ramudu,
R/o Sangali Matta, Abandam Thanda, Nandyal Mandal, Kurnool Dist.
2. Molakala Lakshmana, S/o Ramudu,
R/o Kottala, Nandyal Mandal, Kurnool Dist.
3. Pabbathi Sanjanna, S/o Solaman
R/o Kottala, Nandyal Mandal, Kurnool Dist.
4. Bellam Sundaramma, W/o B.Devdas,
R/o Kottala, Nandyal Mandal, Kurnool Dist.
5. Velpula Bala Yesurathnam, S/o Micheal,
R/o Kottala, Nandyal Mandal, Kurnool Dist.
6. Dudekula Gokari sheb, S/o D.Pakeeranna,
R/o Kottala, Nandyal Mandal, Kurnool Dist.
7. Pallapu Naganna, S/o Jambulanna,
R/o Kottala, Nandyal Mandal, Kurnool Dist.

..... PETITIONERS

AND

1. The District Collector,
Kurnool District.
2. The Revenue Divisional Officer,
Nandyal, Kurnool District.
3. The Mandal Revenue Officer,
Nandyal, Kurnool District.
4. Executive Engineer (Panchayat Raj), RWS,
Nandyal, Kurnool Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, direction or order particularly one in the nature of *Writ of Mandamus*

directing the respondent Nos.1 to 3 herein to grant pattas to all the petitioners herein, as temporary assignments were made in their favour in the year 1973.

Counsel for the Petitioner: MR.R.V.SUBBA RAO

Counsel for the Respondents: GP FOR PANCHAYAT RAJ

The Court made the following:

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THE HONOURABLE SRI JUSTICE P.S. NARAYANA

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WRIT PETITION No.5172 of 1997

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ORDER:

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Heard the counsel on record.

2 . This writ petition is filed for issue of a writ, order or direction more particularly in the nature of Writ of Mandamus directing the respondents 1 to 3 herein to grant pattas to all the petitioners herein, as temporary assignments were made in their favour in the year 1973 and pass such other suitable orders.

3 . An interim direction was granted not to disturb the possession of the petitioners of their respective lands in the temporary assignment pattas, which was granted in the year 1973 pending further orders.

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4 . The stand taken by the respondents in the counter-affidavit is that the Executive Engineer, Panchayat Raj, Nandyal, requires the same for construction of Summer Water Storage tank and the government had sanctioned the said property at the disposal of the said Executive Engineer, Panchaytiraj, Nandyal.

5. The main grievance ventilated by the writ petitioners is that the fact that the temporary permissions had been granted to the petitioners is not in dispute. But, however, they were not put on notice. In view of the facts and circumstances and also taking into consideration the directions issued by this Court, this court is of considered opinion that the petitioners be put on notice and if the respondents required the said land for any public purpose, they may proceed with the matter by following due process of law. Till then status quo to be maintained.

6. The Writ Petition is disposed of accordingly. No costs.

(P.S.NARAYANA,J)

Date: 26.11.2004.

Ksn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The District Collector,
Kurnool District.
2. The Revenue Divisional Officer,
Nandyal, Kurnool District.
3. The Mandal Revenue Officer,

Nandyal, Kurnool District.

4. Executive Engineer (Panchayat Raj), RWS,
Nandyal, Kurnool Dist.

5. Two C. Cs to G.P. for Panchayat Raj, High Court Buildings,
Hyderabad (OUT).

6. Two C.D. copies